IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADVANCEME, INC., Plaintiff, v. RAPIDPAY LLC, FIRST FUNDS LLC, MERCHANT MONEY TREE, INC., REACH FINANCIAL, LLC, and FAST TRANSACT, INC. d/b/a SIMPLE CASH, Defendants.	§	**CASE NO. 6:05-CV-424 (LED – JDL)**
ADVANCEME, INC., Plaintiff, v. AMERIMERCHANT, LLC, Defendant.	§	**CASE NO. 6:06-CV-082 (LED – JDL)** **JURY TRIAL DEMANDED**

ORDER GRANTING PLAINTIFF'S EMERGENCY MOTION FOR A PROTECTIVE ORDER IN CONNECTION WITH THE SUBPOENA SERVED ON JOHN KONOP

Plaintiff's Emergency Motion for a Protective Order Regarding the Subpoena of John Konop came to be heard on an *ex parte* basis before this Court on February 6, 2007, pursuant to Federal Rule of Civil Procedure 26(c). After reviewing the papers submitted in support of the emergency motion, and considering the arguments of counsel, and good cause appearing, IT IS ORDERED THAT:

1. The production of documents and deposition testimony of Mr. Konop not go forward on February 8, 2007, as currently scheduled.

2. This deposition go forward at a date, time, and location that is mutually agreeable to counsel for AdvanceMe, counsel for Defendants, and third party John Konop, and

3. Any documents Mr. Konop intends to produce in response to this subpoena shall be provided only to counsel for AdvanceMe, not counsel for Defendants, so that counsel for AdvanceMe can review these documents and remove from production any documents that are protected by the attorney-client privilege.

IT IS SO ORDERED.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system pursuant to Local Rule CV-5(a)(3) on this the 5th day of February, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/
Robert C. Matz

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